| Notice of Allowability | Application No. | Applicant(s) | |
|---|---|---|---|
| | 10/770,943 | BOND ET AL. | |
| | Examiner | Art Unit | |
| | NICHOLAS TAYLOR | 2141 | |

***-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--***

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to *amendment filed May 8th, 2008*.

2. ☒ The allowed claim(s) is/are *1,4-8,10-12 and 14-17*.

3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
   a) ☐ All b) ☐ Some* c) ☐ None of the:
      1. ☐ Certified copies of the priority documents have been received.
      2. ☐ Certified copies of the priority documents have been received in Application No. _____ .
      3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

   * Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE**.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.

5. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
   (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
   (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

   **Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).**

6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date *5/29/08* .
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

## DETAILED ACTION

## EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Peter Priest on May 29th, 2008.

2. The claims should be amended to read as follows:

1. A ~~pseudodevice~~ system for communicating between a network-resident software application and a user device, the ~~pseudodevice~~ system comprising:

a network; and

a pseudodevice comprising:

a first port for communications between the network-resident software application and the pseudodevice;

a second port for communications between the pseudodevice and the user device;

a first interface function associated with the first port for receiving a message request from the network-resident software application and for sending a response to

the network-resident software application, wherein the message request from the network-resident software application comprises query parameters to specify the type of query to send to the user device and the query parameters comprise a query type, query strings, a target username, and a source username supplied by the pseudodevice, wherein the instant message when received in the user device appears to come from an instant messaging user separate from the pseudodevice; and

a second interface function associated with the second port for sending in response to the message request an instant message to the user device in a format adapted for communication with an instant messaging client resident on the user device, and receiving an HTTP request from a web browser located on the user device, providing a selected response to the received HTTP request, and sending an HTTP response in a format adapted for communication with an HTTP client on the user device.

15. A computer-readable medium ~~whose contents cause~~ having code stored thereon that when executed causes a computer system to perform in a unified real-time manner interactions between at least one network-resident software application and at least one user device through a network-resident component, by performing the steps of:

receiving a selected message request in the network-resident component from the network-resident software application, wherein the selected message request from the network resident software application further comprises a query type, query strings

to be displayed, a target user name parameter for the instant messaging name of the user device, and a source user name parameter supplied by the network-resident component to • specify an arbitrary source;

translating in the network-resident component the selected message request to an instant message in a selected instant message format adapted for communication with an instant messaging client resident on the user device;

sending the instant message from the network-resident component to the user device;

communicating and adapting the communications between the network-resident component and a web browser HTTP client resident on the user device for selected message requests; and

sending a user response from the network-resident component to the network-resident software application that initiated the message request for selected message requests.

17. A computer-readable medium ~~whose contents cause~~ having code stored thereon that when executed causes a computer system to perform in a unified real-time manner interactions between at least one network-resident software application and at least one user device, the computer system having a pseudodevice as a unified software interface function that provides an interface between the at least one network-resident software application and the at least one user device, by performing:

receiving a selected message request in the pseudodevice from the network-resident software application, wherein the selected message request from the network resident software application further comprises a query type, query strings to be displayed, a target user name parameter for the instant messaging name of the user device, and a source user name parameter supplied by the pseudodevice to specify an arbitrary source;

translating in the pseudodevice the selected message request to a selected instant message format adapted for communication with an instant messaging client resident on the user device;

communicating and adapting the communications between a web browser's HTTP client resident on the user device and the pseudodevice for selected message requests; and

sending a user response from the pseudodevice to the network-resident software application that initiated the message request for selected message requests.

***Allowable Subject Matter***

3. Claims 1, 4-8, 10-12, and 14-17 are allowed.

4. The following is an Examiner's Statement of Reasons for Allowance:

In interpreting the claims, in light of the specification and the applicant's amendments filed May 8th, 2008, the Examiner finds the claimed invention to be

patentably distinct from the prior art of record. The prior art does not teach all of the limitations of the independent claims in combination with the other elements presented.

The prior art of record teaches a network resident software application that communicates with a user device through a network-resident component (Gourraud, paragraph 0026-0028 and fig. 1). Gourraud teaches a network communication structure where, for example, a network resident software-application service communicates through a network resident server component with a user device (paragraphs 0028-0030). The prior art of record further teaches a method of sending hyperlinked instant messages to users in response to user actions for HTTP based actions (Kay, fig. 2 and paragraph 0009) that control network resident devices (Kay, paragraph 0043). Kay teaches sending a user a selected type of HTTP response dependent upon the HTTP request received, receiving an HTTP request from the user device as a response to a user action elicited by the selected type of HTTP response, and sending the response to the network-resident software application that initiated the message request (Kay, see, e.g., summary paragraphs 0010-0011 and implementation details of 0047-0051 where the HTTP query exchange takes place).

However, as per claims 1, 6, 11, 15 and 17, the prior art fails to teach a message reception function in a network resident pseudodevice that receives a request that comprises query parameters to specify the type of query to send a user device including a query type, query strings, a target username, and an arbitrary username supplied by the pseudodevice, wherein the instant message appears to come from an instant messaging user separate from the pseudodevice or an arbitrary source, and further

wherein a response is sent in a format adapted for communication with an instant messaging client that receives an HTTP request from a user device web browser that provides a selected HTTP response.

5. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nicholas Taylor whose telephone number is (571) 272-3889. The examiner can normally be reached on Monday-Friday, 8:00am to 5:30pm, with alternating Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rupal Dharia can be reached on (571) 272-3880. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/NT/
Nicholas Taylor
Examiner
Art Unit 2141

/Jason D Cardone/
Supervisory Patent Examiner, Art Unit 2145